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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mitsuaki MORITANI et al.
Title: CONTENT INFORMATION MANAGEMENT APPARATUS
AND CONTENT INFORMATION MANAGEMENT METHOD
Appl. No.: 10/783,200
Filing Date: 02/19/2004
Examiner: Lu, Kuen S.
Art Unit: 2167
Confirmation No.: 6172

PRE-APPEAL BRIEF REQUEST FOR REVIEW

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the **Pre-Appeal Brief Conference Pilot Program**, announced July 11, 2005, this Pre-Appeal Brief Request is being filed. A Notice of Appeal is being filed concurrently herewith.

The following rejection is being presented for review. The rejection of claims 1-22 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 20903/0154390 to Yamauchi et al. in view of U.S. Patent Publication No. 2003/0163724 to Tayebi et al.

I. Independent Claims 1, 21 and 22:

Presently pending independent claim 1 is directed to a content information management apparatus that includes a collection processing unit, a conversion processing unit, and an output unit. Independent claims 21 and 22 recite similar features as a “means plus function” and as a “method” claim, respectively.

(A) “Collection Processing Unit”:

Claim 1 recites a collection processing unit which collects content information items indicating attributes of contents stored in different specific forms in storage devices connected to networks using different protocols.

The final Office Action asserts that Yamauchi et al. (Figure 3, paragraphs [0087], [0066], [0068], [0071] and the like) teaches the collection processing unit as recited in the independent claims. Applicants respectfully disagree, whereby any teaching for a collection processing unit cannot be found in Yamauchi et al. In more detail, Yamauchi et al. merely teaches that a content-storing section 13 reads out a stored content and outputs the read content and information that identifies the type, the file size, the reproduction time, and so forth of the read content to a recording management system 15. Even if “the type, the file size, the reproduction time, and so forth” can be said to be equivalent to “attributes”, the content-storing section 13 or the recording management system 15 does not “collect content information items indicating attributes of contents stored in different specific forms in storage devices connected to networks using different protocols,” as recited in claim 1.

With respect to “using different protocol,” the Office Action asserts that Tayebi et al. teaches storage devices connected together in accordance with known network protocols (Page 9, paragraph [0122]). Applicants respectfully disagree. In particular, Tayebi et al. merely teaches that, concerning the functions of the IDC 11 (in Figure 2 of Tayebi et al.), functionalities can be divided between a plurality of computing and storage devices or servers connected together in accordance with known network protocols. This does not teach or suggest that “contents are stored in different specific forms in storage devices,” as recited in the claims. Furthermore, there is no motivation in Tayebi et al. that a certain device “collects” content information items indicating “attributes” of contents stored in different storage devices.

Consequently, neither Yamauchi et al. nor Tayebi et al., taken singly or in combination, teaches the “collection processing unit” as recited in claim 1.

(B) “Conversion Processing Unit”:

Claim 1 recites a conversion processing unit which converts each of the content information items collected by the collection processing unit into content information of a standardized form.

The final Office Action asserts that Yamauchi et al. (paragraphs [0068], [0089] and the like) teaches the conversion processing unit as recited in the independent claims. Applicants respectfully disagree, whereby any teaching for a conversion processing unit cannot be found in Yamauchi et al. In more detail, Yamauchi et al. merely teaches that a converting device 39A (in Figure 2 of Yamauchi et al.) in a storing section 8 (in Figure 3 of Yamauchi et al.) converts the content to be stored into another format, for example, from the MPEG 2 format into MPEG 4 format, or from the high-definition television format into the standard-definition television format. It is to be noted that the converting device 39A in a storing section 8 does not “convert each of the content information items collected by the collection processing unit into content information of a standardized form.”

Consequently, Yamauchi et al. fails to teach the “conversion processing unit” as recited in claim 1, and Tayebi et al. does not rectify the above-mentioned shortcomings of Yamauchi et al.

(C) “Output unit”:

Claim 1 recites an output unit which outputs the content information of the standardized form converted by the conversion processing unit.

The final Office Action asserts that Yamauchi et al. (paragraph [0089] and the like) teaches the display as recited in the independent claims. Applicants respectfully disagree. In particular, information displayed by a monitor section 17 (in Figure 3 of Yamauchi et al.) is not equivalent to the content information of the standardized form converted by the conversion processing unit. Accordingly, Yamauchi et al. does not teach or suggest “outputting the content information of the standardized form converted by the conversion processing unit.”

Consequently, Yamauchi et al. fails to teach the “output unit” as recited claim 1, and Tayebi et al. does not rectify the above-mentioned shortcomings of Yamauchi et al.

Therefore, independent claims 1, 21 and 22 are patentable over the cited art of record.

II. Other Independent Claims Under Rejection:

Independent claim 5 recites features that are similar to those discussed above with respect to the “collection processing unit” (in a collecting step) and the claimed “output unit” (in an outputting step), and is patentable for the same reasons as given above with respect to

claim 1 for those two features.

Independent claims 9, 13, 15 and 19 each recites features that are similar to those discussed above with respect to the "collection processing unit" and the claimed "conversion processing unit", and are patentable for the same reasons as given above with respect to claim 1 for those two features.

III. Response to Arguments section of Final Office Action:

In the Response to Arguments section of the final Office Action, it asserts that Yamauchi's content storing device comprising of reading/writing sections" corresponds to the claimed "conversion processing unit", whereby Yamauchi's "converting section" corresponds to the claimed "conversion processing unit" and Yamauchi's "terminal devices" correspond to the claimed "output units", by reference to Figures 2 and 3 of Yamauchi. However, the reading/writing sections of Yamauchi do not perform the functions or operations as specifically recited in the presently pending independent claims, and thus they cannot teach or suggest those claim elements.

Respectfully submitted,

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